

Amdt. dated July 21, 2005  
Submitted with Request for Continued Examination

Serial No. 10/038,165  
Docket No. TUC920010058US1  
Firm No. 0018.0102

### REMARKS/ARGUMENTS

This amendment is being submitted with a Request for Continued Examination.

#### Drawings

The Examiner has not indicated in the final Office Action Summary (Item 10) dated 4/21/2005 or in the advisory action dated 07/12/2005 whether the drawings have been accepted or objected to by the Examiner. The Examiner is requested to indicate that the drawings have been accepted.

#### Claim Amendments

Applicants have amended all claims numbered 1-45 of the Application. Applicants submit that any new requirements found in the amended claims are to be found in the original specification, figures, and original claims of the application and no new matter has been added.

In particular, the subnct related requirements found in amended claims 2, 15, 28, 40-45 may be found in at least paragraph 13 (page 5, lines 29-30) and fig. 1 (reference numbers 350, 360) of the original application. The various types of requests (check-out, extract, check-in, lock, unlock, delete) and operations based on such requests as presented in amended claims 9, 22, 35 may be found in at least FIG. 6 (reference numerals 820, 825, 830, 815, 835, 840, 845, 850). The file checking-out and checking-in requirements found in certain of the amended claims may be found in at least FIGs. 7, 8 and the associated description. The requirements for the table in claims 6, 19, 32 may be found in at least paragraph 25 of the original specification an in the optimal file location update table (reference number 1100) illustrated in FIG. 9. Should the Examiner have any questions regarding the new requirements added to the claims the Examiner is requested to set up and interview with the Attorney/Agent by calling the telephone number 310-557-2292.

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Applicants further submit that the pending amended claims 1-45 are patentable over the cited art. Applicants submit that amended claims 1-45 are patentable over the art cited by the Examiner.

Arguments for patentability of claims 1-45 over the art cited by the Examiner

The Examiner has rejected pending claims 1-45. The Examiner rejected claims 1, 10-14, 23-27, 36-39 under 35 U.S.C. 103(a) as being unpatentable over Xu (US 6,324,581) in view of Enoki (US 5,873,085). Claims 2-5, 9, 15-18, 22, 28-31 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Xu in view of Enoki and in view of Whidby (US patent publication No. 2003/0110264 A1). Claims 6-18, 19-21, and 32-34 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Xu, in view of Enoki, and in view of Porcar ("File Migration in Distributed Systems" California Univ., Berkeley, Lawrence, Berkeley Lab, copyright 1982, pages 114-135). Claims 40-45 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Xu, in view of Enoki, in view of Whidby, and in view of Porcar. Applicants have amended all claims 1-45 and traverse the rejections of the pending amended claims 1-45.

Amended Independent claims 1, 14, and 27

Amended Independent claims 1, 14, 27 are for controlling and providing access to a files maintained at remote storage locations to a source code management system client over a network, and require:

receiving a request, at a server, for checking-out a file corresponding to a filename, from the source code management system client over the network;

determining from metadata, by the server, a remote storage location address associated with the filename where the requested file is located, wherein the metadata corresponds to the files and is stored more proximate to the server than to the source code

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management system client, and wherein the remote storage location address is based on a history of request patterns from a plurality of source code management system clients;

sending, by the server, the remote storage location address to the source code management system client, wherein the remote storage location address where the requested file is located is more proximate to the source code management system client than to the server; and  
updating, by the server, the metadata to indicate that the requested file is checked-out and locked.

Neither the cited Enoki, Xu, Whidby or Porcar, either alone or in combination teach or suggest the claim requirements of:

receiving a request, at a server, for checking-out a file corresponding to a filename, from the source code management system client over the network;

determining from metadata, by the server, a remote storage location address associated with the filename where the requested file is located, wherein the metadata corresponds to the files and is stored more proximate to the server than to the source code management system client, and wherein the remote storage location address is based on a history of request patterns from a plurality of source code management system clients;

sending, by the server, the remote storage location address to the source code management system client, wherein the remote storage location address where the requested file is located is more proximate to the source code management system client than to the server; and  
updating, by the server, the metadata to indicate that the requested file is checked-out and locked.

Should the Examiner maintain the rejection of amended claims 1, 14, 27, the Examiner is requested to indicate how the cited art either alone or in combination teach or suggest the claim requirements.

For the above reasons, claims 1, 14, and 27 are patentable over the cited art.

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Amended Independent Claims 10, 23, 36

Independent claims 10, 23, 36 are for accessing a file in a source code management system, comprising:

sending, from a source code management system client, a first request for checking-out the file to a server;

receiving, at the source code management system client, a storage location address containing the file in response to the first request, wherein the storage location address containing the file is located more proximate to the source code management system client than to the server, wherein metadata corresponding to the file is kept more proximate to the server than to the source code management system client. and wherein the storage location has been determined from the metadata by the server based on a history of request patterns from a plurality of source code management system clients;

sending, from the source code management system client, a second request to the storage location address; and

receiving, at the source code management system client, an access to the file from the storage location address, wherein the server updates the metadata to indicate that the file is checked-out and locked after providing the access.

Neither the cited Enoki, Xu, Whidby or Porcar, either alone or in combination teach or suggest the claim requirements of:

sending, from a source code management system client, a first request for checking-out the file to a server;

receiving, at the source code management system client, a storage location address containing the file in response to the first request, wherein the storage location address containing the file is located more proximate to the source code management system client than to the server, wherein metadata corresponding to the file is kept more proximate to the server than to the source code management system client. and wherein the storage location has been determined

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from the metadata by the server based on a history of request patterns from a plurality of source code management system clients;

sending, from the source code management system client, a second request to the storage location address; and

receiving, at the source code management system client, an access to the file from the storage location address, wherein the server updates the metadata to indicate that the file is checked-out and locked after providing the access.

Should the Examiner maintain the rejection of amended claims 10, 23, 36, the Examiner is requested to indicate how the cited art either alone or in combination teach or suggest the claim requirements

For the above reasons, claims 10, 23, and 36 are patentable over the cited art.

Dependent claims 2-9, 11-13, 15-22, 24-26, 28-35, 37-45

The Examiner has also rejected pending claims 2-9, 11-13, 15-22, 24-26, 28-35, 37-45 that depend on the pending independent claims 1, 14, 27, 10, 23, or 36. Applicants have amended all the dependent claims 2-9, 11-13, 15-22, 24-26, 28-35, 37-45 and traverse these rejections. Applicants submit that these claims are patentable over the cited art because they depend from claims 1, 14, 27, 10, 23, or 36 which are patentable over the cited art for the reason discussed above, and because the combination of the limitations in the dependent claims 2-9, 11-13, 15-22, 24-26, 28-35, 37-45 and the base and intervening claims from which they depend provide further grounds of distinction over the cited art.

Should the Examiner maintain the rejections of amended dependent claims 2-9, 11-13, 15-22, 24-26, 28-35, 37-45 the Examiner is requested to indicate how the cited art either alone or in combination teach or suggest the claim requirements.

Conclusion

For all the above reasons, Applicant submits that the pending claims are patentable over the art of record. Applicants have indicated appropriate fees. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0449.

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The attorney/agent invites the Examiner to contact him at (310) 557-2292 if the Examiner believes such contact would advance the prosecution of the case.

Dated: July 21, 2005

By: 

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